



U.S. Department of Justice

Environment and Natural Resources Division

DWG:DAJ

90-6-2-63c

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APR 29 2008

DEPARTMENT OF
WATER RESOURCES

April 25, 2008

via FedEx Mail

Diana R. Delaney, Chief Deputy Clerk
Snake River Basin Adjudication
DISTRICT COURT
253 Third Ave., North
Twin Falls, Idaho 83303-2707

Re: SRBA Case No. 39576
Subcase Nos. 01-248, 01-10200, 01-10201, 01-10202, 01-10203, 01-10503, and
01-10504

Dear Ms. Delaney:

Enclosed for filing in each of the above listed subcases are the following documents:

1. **STANDARD FORM 5 - STIPULATED ELEMENTS OF A WATER RIGHT**

Sincerely,

David A. Jarvis
Paralegal

Enclosures

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DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase No. 01-248
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

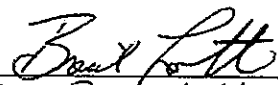
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached, *which removes federal public land from the digital boundary*. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

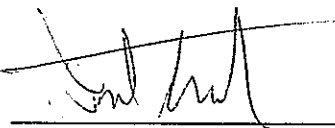
CLAIMANT:

Farmers Friend Irrigation Co., LTD

OBJECTOR:

United States of America
Bureau of Reclamation


By: Brent Lott Date: 3-20-08
Title: President


David W. Gehlert, USDOJ Date: 4-25-08
Attorney for Objector

IDWR Concurrence:



Michael Holliday Date
Senior Water Resource Agent 2/29/2008



Andrea L. Courtney Date
Deputy Attorney General 2/25/08
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-248

NAME AND ADDRESS: FARMERS FRIEND IRRIGATION CO LTD
C/O ANNE FERGUSON SEC
PO BOX 394
RIRIE ID 83443

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 160.000 CFS

PRIORITY DATE: 01/22/1916

POINT OF
DIVERSION:

T04N R40E S36 NWSESE Lot 1 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

160.000 CFS

PLACE OF USE:

10243 ACRES TOTAL

Place of use is within the area served by Farmers Friend Irrigation Company.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through Farmers Friend Canal.



Farmers Friend Irrigation Co Ltd

SRBA Recommendations: 1-248, 1-10200, 1-10201, 1-10202, 1-10203, 1-10503, 1-10504

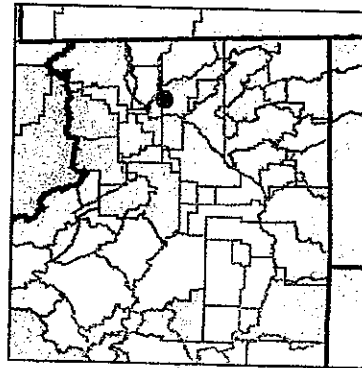
OK
1/11/2

1/11/2

Service Area Boundary
GIS Place of Use Illustration

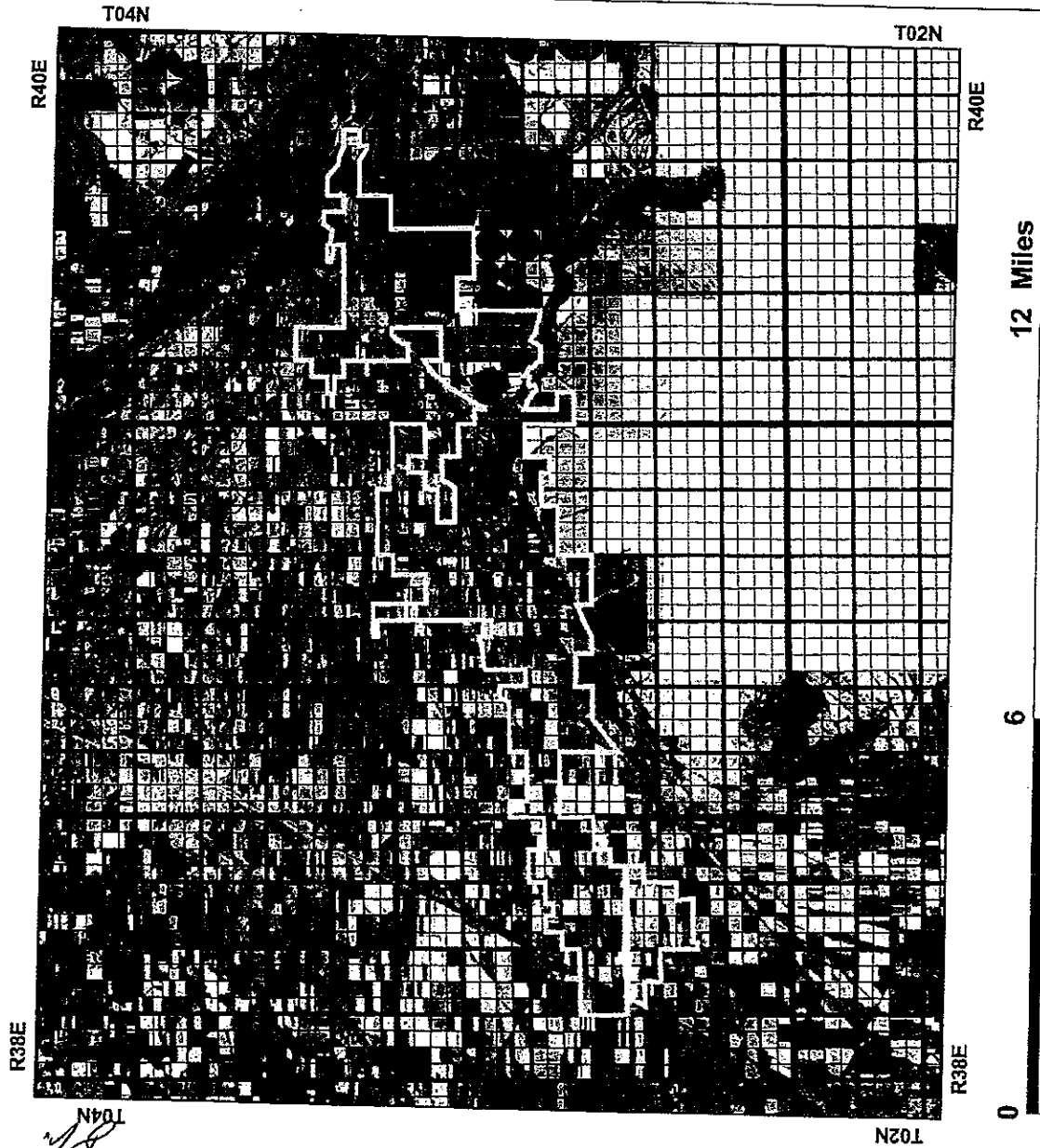
Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Bonneville, Jefferson Counties
IDWR Basin 1

Prepared by D. Favreau
On Friday, February 22, 2008
1987/88 Aerial Photography



CERTIFICATE OF MAILING

I certify that on this 25th day of April 2007, I mailed the original and copies of **STANDARD FORM 5 – Water Right No. 01-248**, including all attachments, as indicated below:

via FedEx mail:

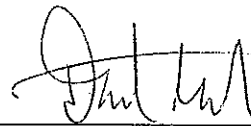
CLERK OF THE SRBA COURT (Original)
SRBA Courthouse
District Court
253 Third Ave. North
Twin Falls, Idaho 83301
Phone: (208) 736-3011

via First Class U.S. Mail, prepaid:

Farmers Friend Irrigation Co., Ltd.
c/o Anne Ferguson, Secretary
P.O. Box 394
Ririe, ID 83443

United States Department of Justice
Environment and Natural Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724

IDWR
Document Depository
P.O. Box 83720
Boise, ID 83720-0098



David W. Gehlert